

BILL NO. Z-70-05-27

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. C-16.

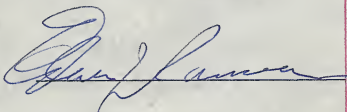
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. C-16 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

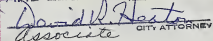
A part of the South 1/2 of the South 1/2 of the Northeast 1/4 of Section 36, Township 30 North, Range 12 East, in Allen County, Indiana, described as follows:

Beginning on the east line of said Section 36, and the east line of said Wayne Township, at the intersection with the south corporation line of the City of Fort Wayne, said point of beginning being the northeast corner of the South 1/2 of the South 1/2 of the northeast 1/4 of said Section 36, also, being 180 feet more or less south of the centerline of Chinchilla Lane, and the northeast corner of said land conveyed to Sam W. Fletcher, William Moser, and Floyd B. Kelsey, Jr.; thence southwardly with the east line of said Section 36 and Wayne Township for 540 feet more or less; thence westwardly at right angles to last-mentioned course for 935 feet more or less; thence northwardly parallel to the east line of said Section 36 and Wayne Township for 540 feet more or less to the south property line of land conveyed to Southtown Mall, Inc.; thence eastwardly with the south property line of said Southtown Mall, Inc. land for 935 feet more or less to the point of beginning containing 11.6 acres, more or less.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.



APPROVED AS TO FORM
AND LEGALITY


Associate CITY ATTORNEY

Read the first time in full and on motion by Dunifon seconded by
Rousseau and duly adopted, read the second time by title and referred
to the (Committee on) Regulations (and to the City Plan
Commission for recommendation) (~~and Public Hearing to be held after due legal notice,~~
~~at the Council Chambers, City Hall, Fort Wayne, Indiana, on~~
the _____ day of _____, 196____, at _____ o'clock
P.M., E.S.T.

Date: 5-26-70

Frank H. Bonachum
City Clerk

Read the third time in full and on motion by _____
seconded by _____ and duly adopted, placed on its passage.

Passed (LOST) by the following vote:

AYES	_____	NAYS	_____	ABSTAINED	_____	ABSENT	_____	to-wit:
Adams	_____	_____	_____	_____	_____	_____	_____	
Dunifon	_____	_____	_____	_____	_____	_____	_____	
Fay	_____	_____	_____	_____	_____	_____	_____	
Geake	_____	_____	_____	_____	_____	_____	_____	
Nuckols	_____	_____	_____	_____	_____	_____	_____	
Robinson	_____	_____	_____	_____	_____	_____	_____	
Rousseau	_____	_____	_____	_____	_____	_____	_____	
Steigerwald	_____	_____	_____	_____	_____	_____	_____	
Tipton	_____	_____	_____	_____	_____	_____	_____	

Date _____

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(Zoning Map) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. Z-

on the _____ day of _____, 196____.

ATTEST: (SEAL)

City Clerk

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day
of _____, 196____ at the hour of _____ o'clock ____ M., E.S.T.

City Clerk

Approved and signed by me this _____ day of _____, 196____,
at the hour of _____ o'clock ____ M., E.S.T.

Mayor

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 26, 1970, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-70-05-27; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

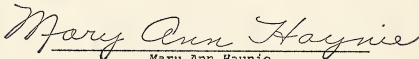
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 21, 1970;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the city, and the amendment will be detrimental to and conflicts with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 28, 1970.

Certified and signed this
9th day of October 1970.



Mary Ann Haynie
Secretary

Bill No. Z-70-05-27

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. C-16,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance *Be Withdrawn* PASS.

JACK K. DUNIFON, Chairman

EDWIN J. ROUSSEAU, Vice-Chairman

THOMAS G. ADAMS

WILLIAM K. GEAKE

PHIL A. STEIGERWALD

Jack K. Dunifon
Edwin J. Rousseau
Thomas G. Adams

Phil A. Steigerwald

CONCURRED IN

DATE 10-13-70 RUAD G. BONAHOOM, CITY CLERK

RECEIPT

No. 9

GENERAL FUND

FT. WAYNE, IND.,

April 23, 1970

RECEIVED FROM

Shooff, Kegan David + Simon \$ 2.50⁰⁰

THE SUM OF

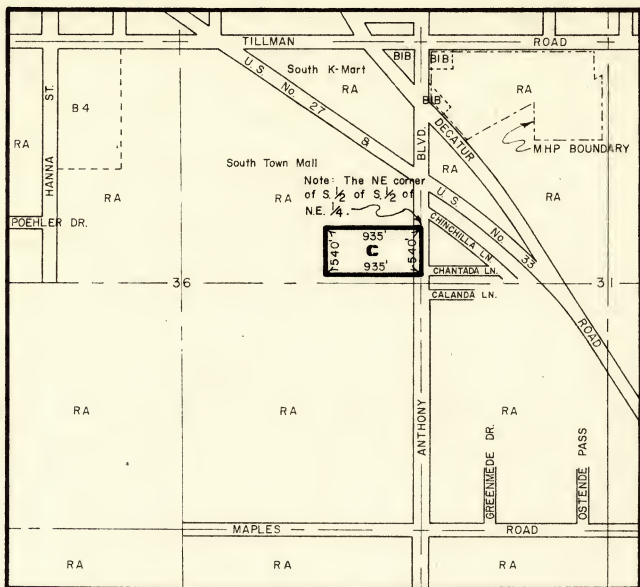
Twenty five and no/100 DOLLARS

ON ACCOUNT OF

As: S. Fletcher, Wm. Moser, Floyd B. Halsey, Jr.
Petition to Rezone
Tract of Land

H. Ostman

AUTHORIZED SIGNATURE



C CHANGE FROM RA TO BIB

2-70-05-27

N

STATE OF INDIANA)
)
COUNTY OF ALLEN)

SS:

BEFORE THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE, ALLEN COUNTY,
INDIANA

TO: The Common Council of the City of Fort Wayne, Allen County, Indiana:

We, the undersigned, being the owners of the following
described property located in Allen County, State of Indiana, to wit:

A part of the South One-half (1/2) of the
South One-half (1/2) of the Northeast Quarter
(1/4) of Section Thirty Six (36), Township
Thirty (30) North, Range Twelve (12) East,
in Allen County, Indiana, described as follows:

Beginning on the east line of said Section 36,
and the east line of said Wayne Township, at the
intersection with the south corporation line of
the City of Ft. Wayne, said point of beginning
being the northeast corner of the South One-half
(1/2) of the South One-Half (1/2) of the northeast
One-fourth (1/4) said Section Thirty Six (36), also,
being one hundred eighty (180) feet more or less
south of the centerline of Chinchilla Lane, and
the northeast corner of land conveyed to Sam W. Fletcher,
William Moser, and Floyd B. Kelsey, Jr.; thence
southwardly with the east line of said Section 36
and Wayne Township for five hundred forty (540) feet
more or less; thence westwardly at right angles to
last-mentioned course for nine hundred thirty-five
(935) feet more or less; thence northwardly parallel
to the east line of said Section 36 and Wayne Township
for five hundred forty (540) feet more or less to the
south property line of land conveyed to Southtown
Mall, Inc.; thence eastwardly with the south property
line of said Southtown Mall Inc. land for nine hundred
thirty-five (935) feet more or less to the point of
beginning containing eleven and 6/10 (11.6) acres, more
or less.

which is now situated in an R-A District, respectfully petition
the Common Council of the City of Fort Wayne, Allen County, Indiana,
to change the zoning of said tract from an R-A District to a B-1-B
District.

Your Petitioners would further show the Council that
the change of zone would be consistent with the character of the

surrounding neighborhood and would be for the best interest and the general welfare of the immediate community.

WHEREFORE, your Petitioners respectfully request this Council to change the zoning of said tract to a B-1-B District.

Respectfully submitted,



Sam W. Fletcher



William Moser



Floyd B. Kelsey, Jr.

FRED B. SHOAFF
1877-1961
JOHN D. SHOAFF
ROBERT Y. KEEGAN
RICHARD F. BAIRD, JR.
CLIFFORD E. SIMON, JR.
GEORGE T. DODD
THOMAS M. MOORHEAD
THOMAS M. SHOAFF

SHOAFF, KEEGAN, BAIRD & SIMON

2400 FORT WAYNE NATIONAL BANK BUILDING

FORT WAYNE, INDIANA

46602

AREA CODE 219
TELEPHONE
743-6123

October 12, 1970

City Plan Commission
425 South Calhoun Street
Fort Wayne, Indiana

ATTENTION: Ms. Marge Overby

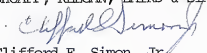
Gentlemen:

On behalf of the petitioners for the rezoning of the 11 acre tract, adjacent to Southtown Mall, to a B-2A classification, which petition was rejected by the Plan Commission at its last executive meeting, please be advised that we are hereby withdrawing said petition and do not want the same forwarded to the City Council for its action. I do not recall the Ordinance Number on this matter, but you will recall that it is the petition, signed by Sam Fletcher and others, which I presented to the last meeting of the City Plan Commission and which resulted in a do not pass recommendation.

Under no circumstances should that petition be forwarded to the City Council for its action.

Very truly yours,

SHOAFF, KEEGAN, BAIRD & SIMON


Clifford E. Simon, Jr.

CES/db